

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Case No. 08-69720

DARRYL BROCK,

Chapter 13

Debtor.

Judge Thomas J. Tucker

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***AMENDED ORDER DENYING MOTION FOR RECONSIDERATION***

This case comes before the Court on Debtor's "Motion for Reconsideration of Debtors Motion to Extend Automatic Stay Federal Rules of Civil Procedure 60(b)," filed on December 22, 2008 (Docket # 26, the "Motion"), which this Court construes as a motion for reconsideration of the December 22, 2008 Order denying Debtor's motion to extend the automatic stay (Docket # 23), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

In addition, the Court notes the following. First, the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), Fed.R.Bankr.P. 9024, or any other valid ground for relief from the order denying the motion to extend the automatic stay.

Second, Debtor's Motion states (at ¶ 4) that "[d]ue to an internal office scheduling error," Debtor's counsel calendared the December 22 hearing on the motion to extend the automatic stay for "Thursday, December 26, 2008." That, of course, is impossible, since Thursday of this week is December 25, Christmas Day, a well-known court holiday.

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

**Signed on December 24, 2008**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**